

Chapter ERC 3

ELECTIONS TO DETERMINE BARGAINING REPRESENTATIVE FOR PRIVATE SECTOR EMPLOYEES

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Note: Chapter ERB 3 was renumbered chapter ERC 3 under s. 13.93 (2m) (b) 1, Stats., **Register December, 1994, No. 468**. Chapter ERC 3 as it existed on June 30, 2006, was repealed and a new chapter ERC 3 was created, **Register June 2006 No. 606**, effective July 1, 2006.

ERC 3.01 Scope. This chapter governs the general procedure for filing and processing of a petition to determine a collective bargaining representative or an appropriate collective bargaining unit under s. **111.05**, Stats., involving employees of private sector employers.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06.

ERC 3.02 Petition for election. A petition for a representation or unit-determination election may be filed by an employee or employees, or by a labor organization acting on their behalf, or by the employer or anyone authorized to act on its behalf. Practice and procedure for filing and processing of a petition to determine a collective bargaining representative or an appropriate collective bargaining unit shall otherwise be as set forth in s. **ERC 11.02**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.03 Withdrawal of petition. Practice and procedure for withdrawal of an election petition shall be as set forth in s. **ERC 11.03**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.04 Stipulation for election. Where an employer, and one or more individual employees or a labor organization acting on their behalf, and the exclusive representative, if any, of an existing unit agree that a question of representation or unit determination has arisen concerning employees of the employer, those parties may jointly file a stipulation for an election to resolve that question. Practice and procedure concerning a stipulation for an election shall be as set forth in s. **ERC 11.04**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.05 Commission pre-hearing action on petition. Practice and procedure regarding commission pre-hearing action on a petition for an election shall be as set forth in s. **ERC 11.05**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.06 Motions. Practice and procedure concerning motions in election proceedings shall be as set forth in s. **ERC 11.06**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.07 Hearings. Practice and procedure concerning hearings in election proceedings shall be as set forth in s. **ERC 11.07**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.08 Direction of election or other dispositional order. Practice and procedure regarding a commission direction of election or other dispositional order in an election proceeding shall be as set forth in s. **ERC 11.08**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.09 Elections. Practice and procedure for conducting elections shall be as set forth in s. **ERC 11.09**, except that the statutory reference in s. **ERC 11.09 (6)** shall be to s. **111.05**, Stats.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.10 Certification of results of election. Practice and procedure for certification of results of an election shall be as set forth in s. **ERC 11.10**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.11 Objections to election. Practice and procedure for filing objections to the conduct of an election shall be as set forth in s. **ERC 11.11**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.12 Commission action on challenges or objections. Practice and procedure for commission action on challenges or objections in election proceedings shall be as set forth in s. **ERC 11.12**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.

ERC 3.13 Petition for rehearing. Any person aggrieved by a final order of the commission may, within 20 days after service of the order, file a written petition for rehearing which shall specify in detail the grounds for the relief sought and supporting authorities. Practice and procedure for filing and processing a petition for rehearing shall be as set forth in s. **ERC 11.13**.

History: CR 02-037: cr. Register June 2006 No. 606, eff. 7-1-06; CR 10-019: am. Register June 2010 No. 654, eff. 7-1-10.